

# Civil Appeals Overview – Appeals from Final Judgments or Orders

	<b>STEP 1:</b>	<b>STEP 2:</b>	<b>STEP 3:</b>	<b>STEP 4:</b>	<b>STEP 5:</b>	<b>STEP 6:</b>	<b>STEP 7:</b>	<b>STEP 8:</b>
	<b>File Notice of Appeal</b>	<b>Request Preparation of the Record</b>	<b>Request Transcript</b>	<b>File Docketing Statement</b>	<b>File Appellant's Brief</b>	<b>Appellee's Brief (Optional)</b>	<b>File Appellant's Reply Brief (Optional)</b>	<b>Decision</b>
<b>Form:</b>	<b>Notice of Appeal</b>	<b>Request for Preparation of Record on Appeal</b>	<b>Request for Report of Proceedings</b>	<b>Docketing Statement</b>	<b>Appellant's Brief</b>	<b>Appellee's Brief</b>	<b>Appellant's Reply Brief</b>	<b>Decision</b>
<b>Due:</b>	<b>Within 30 days after entry of a final judgment</b>	<b>Within 14 days after filing the Notice of Appeal</b>	<b>Within 14 days after filing the Notice of Appeal</b>	<b>Within 14 days after filing the Notice of Appeal</b>	<b>Within 35 days after filing of the Record on Appeal</b>	<b>Within 35 days after the due date of the Appellant's Brief</b>	<b>Within 14 days after the due date of the Appellee's Brief</b>	<b>Not applicable</b>
<b>Where:</b>	<b>File in the Circuit Court</b>	<b>File in the Circuit Court</b>	<b>File with Court Reporter in the Circuit Court</b>	<b>File in the Appellate Court</b>	<b>File in the Appellate Court</b>	<b>File in the Appellate Court</b>	<b>File in the Appellate Court</b>	<b>The Appellate Court will issue a decision</b>
<b>Why:</b>	<p>To start the appeal of a circuit court order or judgment.</p> <p>The Notice of Appeal tells the circuit court and the other parties that you (the appellant) are appealing the circuit court's order or judgment, and says what relief you will be seeking from the appellate court.</p> <p><b>Within 7 days after filing the Notice of Appeal, you must</b> (1) send the Notice of Appeal to the other parties (or their attorneys if they are represented by counsel) <b>and</b> (2) file with the clerk of the appellate court:</p> <ol style="list-style-type: none"> <li>a notice of filing, showing that you filed the Notice of Appeal, and</li> <li>a proof of service, showing that you sent the Notice of Appeal to the other parties.</li> </ol>	<p>To have the clerk of the circuit court prepare the Record on Appeal.</p> <p>The Record on Appeal is made up of all the pleadings, orders, motions, evidence, and other documents that were filed in the circuit court during your case. The appellate court uses the Record on Appeal to find out what happened in the circuit court. It is important because the appellate court cannot look at anything that is not in the Record on Appeal. The circuit clerk will transfer the complete record to the appellate court within 63 days after the Notice of Appeal was filed.</p> <p><b>Attach a completed copy of the Request for Preparation of Record on Appeal to your Docketing Statement (see Step 4).</b></p>	<p>To ask the court reporter to prepare the transcript of the hearing or trial for the appellate court so they can decide your appeal fairly.</p> <p>The Report of Proceedings is a typed record of the hearing or trial and includes what the judge, parties, witnesses, and lawyers said in court. This record is also called a transcript. The court reporter will submit the transcript to the appellate court within 49 days after the Notice of Appeal was filed.</p> <p>If the court proceedings were <u>not</u> recorded, you may complete a <b>Bystander's Report</b> OR <b>Agreed Statement of Facts</b>.</p> <p><b>Attach a completed copy of the Request for Report of Proceedings to your Docketing Statement (see Step 4).</b></p>	<p>To tell the appellate court and all the parties in the appeal that you have taken the required steps to begin an appeal.</p> <p>The Docketing Statement tells the appellate court that you are appealing a circuit court order or judgment.</p> <p>NOTE: The case cannot go forward until the appellant pays the \$50 docketing statement fee OR the appellate court has granted a fee waiver.</p> <p><b>Attach completed copies of the Request for Preparation of Record on Appeal and Request for Report of Proceedings with your Docketing Statement (see Steps 2 and 3 for more details).</b></p>	<p>To tell the appellate court why the circuit court should not have entered an order or judgment against you.</p> <p>The Appellant's Brief presents all of your arguments explaining why the circuit court's decision should be overturned.</p> <p>Your brief must present arguments in a clear and thorough way. In support of your arguments, you must cite to the Record on Appeal and to relevant legal authority (statutes, rules, case law, etc.). In order to find legal authority, you will need to conduct legal research either online or at a law library.</p> <p><b>Illinois Supreme Court Rule 341</b> gives specific instructions on formatting briefs, which <b>must</b> be followed or your appeal may be dismissed.</p>	<p>For the appellee (the other party) to tell the appellate court why the circuit court was correct in entering an order or judgment in their favor.</p> <p>The Appellee's Brief is an optional written response to the Appellant's Brief; it gives the appellee a chance to convince the appellate court that the arguments in the Appellant's Brief are wrong and that the circuit court's decision was correct. If the appellee does not file a brief, they are not allowed to further participate in the appeal.</p>	<p>To tell the appellate court why you disagree with the arguments in the Appellee's Brief.</p> <p>If the appellee files a brief, you may file a reply brief. The Appellant's Reply Brief is the third and final brief in the appeals process.</p> <p>The Reply Brief is an optional response to the arguments raised in the Appellee's Brief. It is used to address or counter issues, arguments, and case law that were raised or cited to by the appellee.</p> <p>The Reply Brief <b>cannot</b> raise any new issues and should not simply restate arguments already made in your initial Appellant's Brief.</p>	<p>To end the appeal.</p> <p>After submission of all briefs and following oral arguments (if applicable), the appellate court will issue its decision on your case in the form of a written opinion or order.</p> <p>The appellate court can decide to do any of the following:</p> <ul style="list-style-type: none"> <li>* affirm (decide that the circuit court's decision was correct);</li> <li>* reverse (decide that the circuit court's decision was incorrect);</li> <li>* remand (return the case to the circuit court for further action); or</li> <li>* take any other appropriate action.</li> </ul> <p><b>If you do NOT agree with the appellate court's decision, you may file a Petition for Rehearing</b> (within 21 days after the decision) or <b>file a Petition for Leave to Appeal</b> (within 35 days after the decision or ruling on the Petition for Rehearing) <b>to the Illinois Supreme Court.</b></p>

